

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHARLENE CARTER,	§
	§
Plaintiff,	§
	§
v.	§ Civil Action No.
	§ 03:17-cv-02278-S
SOUTHWEST AIRLINES CO.,	§
AND TRANSPORT WORKERS	§
UNION OF AMERICA LOCAL	§
556,	§
	§
Defendants.	§

REMOTE ORAL AND VIDEOTAPED DEPOSITION OF

CHARLENE CARTER

November 20, 2020

PORTIONS OF TRANSCRIPT DESIGNATED CONFIDENTIAL:

PAGE 132:13 THROUGH 134:6
PAGE 134:19 THROUGH 135:10

REMOTE ORAL AND VIDEOTAPED DEPOSITION OF CHARLENE CARTER, located at her residence in Aurora, Colorado, produced as a witness at the instance of the Defendant Southwest Airlines Co., and duly sworn, taken in the above-styled and numbered cause on November 20, 2020, from 10:02 a.m. to 4:36 p.m., before Joseph D. Hendrick, Certified Shorthand Reporter in and for the State of Texas, reported by machine shorthand, pursuant to Notice and the Federal Rules of Civil Procedure and any provisions stated on the record or attached hereto.

Job No. 4341722

1 A. No, I didn't witness it.

2 Q. Okay. What about Josh Rosenberg, do you
3 know who turned in Mr. Rosenberg for violation of the
4 social media policy?

5 A. No, I do not.

6 Q. Okay. And do you know what he was turned
7 in for?

8 A. He had posted on his Facebook page, it was
9 during the contract negotiations, with a gun pointed
10 and underneath it saying, "Gary, sign now" or "Gary"
11 something or another. So that's Gary Kelly, our CEO,
12 with a gun above it stating, "Gary, sign now."

13 Q. Okay. And was Mr. Rosenberg an objector?

14 A. No, he was not. But he I believe is still
15 working at Southwest Airlines.

16 Q. Do you know if -- do you know what sort of
17 agreement Mr. Rosenberg was offered to retain his
18 employment?

19 A. No, I do not.

20 Q. Do you know if Mr. Rosenberg was offered a
21 last chance agreement?

22 A. I do not.

23 Q. Okay. What about Mr. Talbert? You
24 actually said Mr. Talbert was terminated at some point.

25 A. Yes, he was. Actually he's been terminated

1 a couple of times. And I think all for social media.
2 The first time I do know that through testimony from
3 the past or stuff that we just did, what, two weeks
4 ago, that -- and even in my arbitration, the first
5 violation that he had with the post, he was brought
6 back within I believe two weeks and he did not have to
7 sign a nondisclosure.

8 Q. How do you know that?

9 A. It was in the testimony given.

10 Q. Do you have any personal knowledge of what
11 Mr. Talbert signed?

12 A. I don't have personal knowledge.

13 Q. Okay. Now, Mr. Talbert was ultimately
14 fired for social media violations, correct?

15 A. He -- no, he's still with the company.

16 Q. Okay. And do you know if he's been offered
17 a last chance agreement?

18 A. It was said no, he had not been offered a
19 last chance agreement. He didn't have to sign anything
20 to come back.

21 Q. Okay. And what about Casey Rittner, do you
22 know who turned him in for violations of social media?

23 A. That I do not know.

24 Q. And do you know why, what's the basis --

25 A. I believe it's the same thing, with a gun

1 pointed to Gary Kelly or with Gary Kelly, I think it
2 was the same type of thing as Josh Rosenberg.

3 Q. Okay. And what about Bill Holcomb?

4 A. Bill Holcomb was -- I don't think he was
5 terminated. I don't know what kind of punishment he
6 got. But he was the one who posted on his personal
7 Facebook page about a passenger, that there was a
8 banana peel that was on the floor and he made a very
9 sexual derogatory comment about the female passenger.

10 Q. Okay. And do you know if Mr. Holcomb was
11 terminated?

12 A. No, he was not.

13 Q. Do you know if he received a last chance
14 agreement?

15 A. I don't believe he did.

16 Q. Okay. And why do you think Mr. Holcomb was
17 treated more favorably than you?

18 A. Because he was on the negotiating team,
19 working with Audrey and Brett.

20 Q. Okay. Now, I believe your testimony
21 earlier today was that Ms. Stone was not permitted to
22 turn you in to Southwest Airlines because it violated
23 the union constitution and bylaws; is that correct?

24 A. They take an oath, yes, to not harm a
25 member.

1 I, CHARLENE CARTER, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted above.

4

5

CHARLENE CARTER

6

7 STATE OF _____)

8 COUNTY OF _____)

9

10 Before me _____ on this day
11 personally appeared CHARLENE CARTER, known to me (or
12 proved to me on the oath of _____ or
13 through _____ (description of identity card
14 or other document)) to be the person whose name is
15 subscribed to the foregoing instrument and acknowledged
16 to me that he executed the same for the purposes and
17 consideration therein expressed.

18 Given under my hand and seal of office this
19 _____ day of _____, _____.

20

21

Notary Public in and for the
State of _____

22

23

24

25

1 REPORTER'S CERTIFICATION
2 DEPOSITION OF CHARLENE CARTER

3 November 20, 2020

4 I, Joseph D. Hendrick, Notary Public and
5 Certified Shorthand Reporter in the State of Texas,
6 hereby certify to the following:

7 That the Witness, CHARLENE CARTER, was duly
8 sworn by the officer and that the transcript of the
9 oral deposition is a true record of the testimony given
10 by the witness;

11 I further certify that pursuant to FRCP
12 Rule 30(f)(1) that the signature of the deponent:

13 X was requested by the deponent or
14 a party before the completion of the deposition and is
15 to be returned within 30 days from date of receipt of
16 the transcript;

17 _____ was not requested by the
18 deponent or a party before the completion of the
19 deposition;

20 I further certify that the amount of time
21 used by each party is as follows:

22 Mathew B. Gilliam - 00:00:00

23 Michael A. Correll - 04:54:50

24 Adam S. Greenfield - 01:08:13

25 Edward B. Cloutman III - 00:00:00

1 I further certify that I am neither counsel
2 for, related to, nor employed by any of the parties or
3 attorneys in the action in which this proceeding was
4 taken;

5 Further, I am not a relative or employee of
6 any attorney of record, nor am I financially or
7 otherwise interested in the outcome of the action.

8 Subscribed and sworn to on this date:
9 December 8, 2020.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

<%12550,Signature%>

Joseph D. Hendrick, CSR #947

Expiration Date: 04/30/2021

Notary Comm. Exp. 01/13/23

Veritext Legal Solutions

Firm Registration No. 571

300 Throckmorton Street, Ste. 1600

Fort Worth, TX 76102

Telephone (800) 336-4000

1 Mbg@nrtw.org

2 December 9, 2020

3 RE: Carter, Charlen v. Southwest Airline Co & Transport

4 DEPOSITION OF: Charlene Carter (# 4341722)

5 The above-referenced witness transcript is
6 available for read and sign.

7 Within the applicable timeframe, the witness
8 should read the testimony to verify its accuracy. If
9 there are any changes, the witness should note those
10 on the attached Errata Sheet.

11 The witness should sign and notarize the
12 attached Errata pages and return to Veritext at
13 errata-tx@veritext.com.

14 According to applicable rules or agreements, if
15 the witness fails to do so within the time allotted,
16 a certified copy of the transcript may be used as if
17 signed.

18 Yours,

19 Veritext Legal Solutions

20

21

22

23

24

25